



Order Filed on November 12, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

RIKER, DANZIG, SCHERER, HYLAND &
PERRETTI LLP

Joseph L. Schwartz, Esq.(JS-5525)

Rachel G. Atkin, Esq. (RA-4910)

Headquarters Plaza

One Speedwell Avenue

Morristown, NJ 07962-1981

(973) 538-0800

jschwartz@riker.com

ratkin@riker.com

Counsel to Sunstone Hotels Morristown, LLC

In re:

Hollister Construction Services, LLC,

Debtor.

Case No. 19-27439 (MBK)

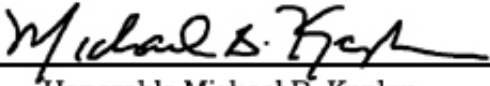
Hon. Michael B. Kaplan, U.S.B.J.

Chapter 11

**CONSENT ORDER GRANTING SUNSTONE HOTELS MORRISTOWN, LLC
RELIEF FROM THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362(d)(1)
TO TERMINATE GMP CONTRACT AND RELATED RELIEF**

The relief set forth on the following pages numbered two (2) and three (3) is hereby
ORDERED.

DATED: November 12, 2019


Honorable Michael B. Kaplan
United States Bankruptcy Judge

Debtor: Hollister Construction Services, LLC

Case No.: 19-27439 (MBK)

Caption of Order: CONSENT ORDER GRANTING SUNSTONE HOTELS MORRISTOWN, LLC RELIEF FROM THE AUTOMATIC STAY PURSUANT TO 11 U.S.C. § 362(d)(1) TO TERMINATE GMP CONTRACT AND RELATED RELIEF

Page: 2 of 3

THIS MATTER having been opened to the Court upon the Motion of Sunstone Hotels Morristown, LLC (“Sunstone”) for entry of an order: (i) granting Sunstone relief from the automatic stay, pursuant to 11 U.S.C. § 362(d)(1), to allow Sunstone to terminate the GMP Contract,¹ or in the alternative, (ii) compelling the Debtor, Hollister Construction Services, LLC (the “Debtor”), to immediately reject the GMP Contract, pursuant to 11 U.S.C. § 365(d)(2), and (iii) for related relief (the “Motion”); and the Court having considered the Motion and the limited objection filed thereto by the Debtor; and the Court having conducted a hearing on the Motion, at which time the Court heard and considered all oral argument of counsel; and good and sufficient notice of the Motion having been provided to all interested parties; and for good cause shown,

IT IS HEREBY ORDERED that:

1. Sunstone is hereby granted relief from the automatic stay, pursuant to 11 U.S.C. § 362(d)(1), to terminate the GMP Contract.
2. The GMP Contract is hereby deemed terminated as of September 11, 2019, the date of the Debtor’s bankruptcy filing (the “Petition Date”).
3. The Debtor is hereby deemed to have rejected the GMP Contract as of the Petition Date.
4. Sunstone and the Debtor each reserve and preserve any and all rights, claims, remedies, defenses and causes of action that each may have in connection with the GMP Contract.

¹ Capitalized terms not otherwise defined herein shall have the meaning ascribed to them in the Motion.

Debtor: Hollister Construction Services, LLC

Case No.: 19-27439 (MBK)

Caption of Order: CONSENT ORDER GRANTING SUNSTONE HOTELS
MORRISTOWN, LLC RELIEF FROM THE AUTOMATIC STAY
PURSUANT TO 11 U.S.C. § 362(d)(1) TO TERMINATE GMP
CONTRACT AND RELATED RELIEF

Page: 3 of 3

5. This Order is immediately valid and fully effective upon its entry and the fourteen
(14) day stay pursuant to Bankruptcy Rule 4001(a) is hereby waived.

5088391v3